

RICK D. NYDEGGER
BRENT P. LORIMER
THOMAS R. VUKSINICK
LARRY R. LYCOCK
JONATHAN W. RICHARDS
DAVID R. WRIGHT
JOHN C. STRINGHAM
JOHN M. GUYNN
CHARLES L. ROBERTS
DANA L. TANGREN
ERIC L. MASCHOFF
CHARLES J. EVERKA
ROBYN L. PHILLIPS
RICHARD C. GILMORE *
STERLING A. BRENNAN
R. BURNS ISRAELSEN
DAVID R. TODD
GREGORY M. TAYLOR
DAVID B. DELLENBACH
L. DAVID GRIFFIN
ADRIAN J. LEE
FRASER D. ROY
CARL T. REED



R. PARRISH FREEMAN, JR.
PETER F. MALEN, JR.
L. REX SEARS, PH.D.
WILLIAM R. RICHTER
ERIC M. KAMERATH
ROBERT E. AYCOCK
JENS C. JENKINS
KEVIN W. STINGER
WILLIAM J. ATHAY
MICHAEL B. DODD
RYAN D. BENSON
SARA D. JONES
TIGE KELLER
JANNA L. JENSEN
MATTHEW D. TODD
J. LAVAR OLDHAM
MICHAEL J. FRODSHAM
JOSEPH L. KRUPA
BRETT A. HANSEN
BRETT I. JOHNSON
MATTHEW A. BARLOW
WESLEY C. ROSANDER
ANDREW S. HANSEN
CHAD E. NYDEGGER
JOSEPH G. PIA
CLINTON E. DUKE
DAVID J. LORENZ †
RYAN N. FARR *
JAMES B. BELSHE



WORKMAN | NYDEGGER

INTELLECTUAL PROPERTY ATTORNEYS

IFW
1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY, UTAH 84111
TELEPHONE: (801) 533-9800
FAX: (801) 328-1707
WEBSITE: [HTTP://WWW.WNLAW.COM](http://www.wnlaw.com)

PATENT APPLICATION
Docket No: 11398.64.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
Michael E. Goodwin et al.)
Serial No.: 10/797,159) Art Unit
Filing Date: March 10, 2004) 3754
Confirmation No.: 4068)
For: CONTAINER SYSTEMS FOR MIXING)
FLUIDS WITH A MAGNETIC STIR BAR)

TRANSMITTAL FOR INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement, which includes the following statements, if any, required variously by 37 C.F.R. § 1.98:

- Statement of relevance of selected cited references not in the English language which are not translated.
- Statement that selected cited references are substantially cumulative of an enclosed or previously submitted reference.
- Statement that selected cited references were previously cited by or submitted to the United States Patent and Trademark Office in a prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

A. Additional Materials Required Due to Content of Information Disclosure Statement

Transmitted are the following documents in addition to the Information Disclosure Statement as required variously under 37 C.F.R. § 1.98:

- Form PTO-1449 listing twenty-nine (29) references submitted for consideration.
- A copy of two (2) of the references listed on the Form PTO-1449.
- English translations of ____ (____) of the references listed on the Form PTO-1449 which are not in the English language.
- Copies of the following documents from the prosecution of a previous, related application:
 - Form PTO-1449 AND INFORMATION DISCLOSURE STATEMENT; and
 - Form PTO-892

B. Additional Materials Required Due to Timing of Filing of Information Disclosure Statement

The transmitted Information Disclosure Statement is being filed within one (1) of the following four (4) time periods:

- I. Prior to the later of either three (3) months following the filing date or the mailing of a first Office Action. Accordingly, no materials other than those listed above are enclosed.
- II. Following the latter of either three (3) months following the filing date or the mailing of a first Office Action, but before the mailing of a final Office Action or a Notice of Allowance. Accordingly, to secure consideration thereof, one (1) of the following is also enclosed:
 - Promptness Certification; or
 - Check No. _____ in the amount of \$____ constituting the submission fee set forth in 37 C.F.R. § 1.17(p).
- III. After the mailing of a Notice of Allowance, but before payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:
 - Promptness Certificate;
 - Petition for Consideration; and

-
- Check No. in the amount of \$_____ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).
 - IV. — After payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:
 - Petition to Withdraw from Issue; and
 - Check No. _____ in the amount of \$_____ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

C. Fees

The Commissioner is hereby authorized to charge payment of or any deficiency in the following fees associated with this communication, or to credit any overpayment thereof, to Deposit Account No. 23-3178. A duplicate copy of this letter is enclosed.

- Any fee required in relation to filing of this letter or any documents transmitted therewith.
- The submission fee set forth in 37 C.F.R. § 1.17(p) in the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that any Promptness Certificate submitted meets the requirements of 37 C.F.R. § 1.97(e).
- The submission fee set forth in 37 C.F.R. § 1.17(p).
- The petition fee set forth in 37 C.F.R. § 1.17(i)(1).

Dated this 13th day of August 2004.

Respectfully submitted,



DANA L. TANGREN
Attorney for Applicant
Registration No. 37,246
Customer No. 022913
Telephone No. 801.533.9800
Facsimile No. 801.328.1707



PATENT APPLICATION
Docket No: 11398.64.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
)
)

Michael E. Goodwin et al.)
)
)

Serial No.: 10/797,159) Art Unit
) 3754

Filing Date: March 10, 2004)
)
)

Confirmation No.: 4068)
)
)

For: CONTAINER SYSTEMS FOR MIXING FLUIDS)
 WITH A MAGNETIC STIR BAR)
)

CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.8

I hereby certify that the following documents are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the 13th day of August 2004.

- Transmittal for Information Disclosure Statement (3 pages)
- Information Disclosure Statement (2 pages)
- Form PTO-1449 listing 29 references (2 pages)
- A copy of 2 of the references listed on the Form PTO-1449
- Postcard

Respectfully submitted,

DANA L. TANGREN
Attorney for Applicant
Registration No. 37,246
Customer No. 022913



PATENT APPLICATION
Docket No: 11398.64.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)

Michael E. Goodwin et al.)

Serial No.: 10/797,159) Art Unit

) 3754

Filing Date: March 10, 2004)

Confirmation No.: 4068)

For: CONTAINER SYSTEMS FOR MIXING FLUIDS)
WITH A MAGNETIC STIR BAR)

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

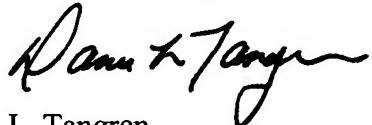
Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed listed references are disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof that is not a US patent document is also enclosed.

Dated this 13th day of August 2004.

Respectfully submitted,



Dana L. Tangren
Attorney for Applicant
Registration No. 37,246
Customer No. 022913
Telephone No. 801.533.9800

DLT:dfw
W:\11398\64.1\DFW0000010844V001.DOC

Applicant: Michael E. Goodwin et al.

Confirmation No.: 4068

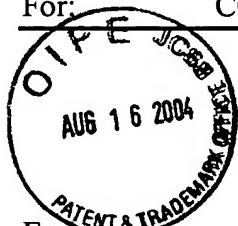
Serial No.: 10/797,159

Att'y Docket No.: 11398.64.1

Filing Date: March 10, 2004

Group: 3754

For: CONTAINER SYSTEMS FOR MIXING FLUIDS WITH A MAGNETIC STIR BAR

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANTU.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
____ 1	3,647,397	03/07/1972	Coleman
____ 2	4,040,605	08/09/1997	Towsend
____ 3	4,162,855	07/31/1979	Bender
____ 4	4,199,265	04/22/1980	Sanderson et al.
____ 5	4,290,300	09/22/1981	Carver
____ 6	4,498,785	02/12/1985	de Bruyne
____ 7	4,830,511	05/16/1989	Smazik
____ 8	4,901,886	02/20/1990	Kirschner
____ 9	5,222,808	06/29/1993	Sugarman et al.
____ 10	5,240,856	08/31/1993	Goffe et al.
____ 11	5,434,079	07/18/1995	Mozayeni
____ 12	5,261,742	11/16/1993	Lockhart
____ 13	5,470,151	11/28/1995	Walthall et al.
____ 14	5,672,481	09/30/1997	Minshall et al.
____ 15	5,733,776	03/31/1998	Barngrover et al.
____ 16	5,899,567	05/04/1999	Morris, Jr.
____ 17	5,941,867	08/24/1999	Kao
____ 18	6,083,587	07/04/2000	Smith et al.
____ 19	6,245,555 B1	06/12/2001	Curtis
____ 20	6,332,706 B1	12/25/2001	Hall
____ 21	6,709,862 B2	03/23/2004	Curtis
____ 22	2002/0105856 A1	08/08/2002	Terentiev\
____ 23	2002/0131654 A1	09/19/2002	Smith et al.

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Michael E. Goodwin et al.
 Serial No.: 10/797,159
 Filing Date: March 10, 2004
 For: CONTAINER SYSTEMS FOR MIXING FLUIDS WITH A MAGNETIC STIR BAR

Confirmation No.: 4068
 Att'y Docket No.: 11398.64.1
 Group: 3754

<u> </u> 24	2002/0145940 A1	10/10/2002	Terentiev
<u> </u> 25	2003/0077466 A1	04/24/2003	Smith et al.
<u> </u> 26	2004/0047232 A1	03/11/2004	Terentiev
<u> </u> 27	2004/0062140 A1	04/01/2004	Cadogan et al.

Foreign Patent Documents

Examiner <u>Initial*</u>	Document <u>Number</u>	Publication <u>Date</u>	Country or <u>Patent Office</u>	<u>Translation</u>
-----------------------------	---------------------------	----------------------------	------------------------------------	--------------------

Other Documents
(including author, title, pertinent pages, etc.)

Examiner
Initial*

- 28 Russ Musch, *Product Brief Form for HyClone Bioprocess Containers*, May 31, 2001.
 29 LevTech, Inc., *Business Plan*, pp. 1, 8, 9, 11, 12, 13, and 25, September 5, 2000.

References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

W:\11398\64.1\DFW0000010841V001.doc

Examiner:	Date Considered:
-----------	------------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.